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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/739,373	12/19/2000	Yuichi Hosoda	35.C14994	3298
5514	7590	11/09/2005	EXAMINER PHAM, THIERRY L	
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			ART UNIT 2624	PAPER NUMBER

DATE MAILED: 11/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/739,373

Applicant(s)

HOSODA, YUICHI

Examiner

Thierry L. Pham

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 1-36 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

- This action is responsive to the following communication: RCE filed on 8/19/05.
- Claims 1-36 are pending.

Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1-11, 20-21, and 23-24 are drawn to a data processing apparatus (i.e. host computer) for managing registration of plurality of paper bins comprising holding unit name registration means, holding unit name capture means, and job creation means, classified in class 358, subclass 1.9.
- II. Claims 12-19, 22, and 25 are drawn to an image forming apparatus having plurality of registered paper bins comprising registration means, discrimination means, and sheet discharge control means, classified in class 358, subclass 1.1.
- III. Claims 26-29, and 33-34 are drawn to an image recording apparatus connecting to a sheet processing apparatus comprising reception means, image recording means, and control means for instructing to distribute the sheets belong to the group according to the first data, classified in class 358, subclass 1.11.
- IV. Claims 30-32, and 35-36 are drawn to an image processing apparatus which can transmits image data along with operator's instruction for instructing to distribute the sheets to the storage bins belongs to which of plural of the grouped storage unit, and setting means for enabling to set whether or not to set the first data with respect to each job, classified in class 358, subclass 1.15.

Inventions I and II are related as subcombinations disclosed as usable together in a single combination, for example, a printing system for managing plurality of registered output bins. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention I has separate utility such as a data processing apparatus (i.e. host computer) for managing registration of plurality of paper bins comprising holding unit name registration means, holding unit name capture means, and job creation means, and wherein

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invention II has separate utility such as an image forming apparatus having plurality of registered paper bins comprising registration means, discrimination means, and sheet discharge control means.

Inventions III-IV are related as subcombinations disclosed as usable together in a single combinations, for example, a printing system for designating an instruction to distribute the printed sheets to designated output bins. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention III has separate utility such as an image recording apparatus connecting to a sheet processing apparatus comprising reception means, image recording means, and control means for instructing to distribute the sheets belong to the group according to the first data, and invention IV has separate utility such as an image processing apparatus which can transmits image data along with operator's instruction for instructing to distribute the sheets to the storage bins belongs to which of plural of the grouped storage unit, and setting means for enabling to set whether or not to set the first data with respect to each job. See MPEP § 806.05(d).

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

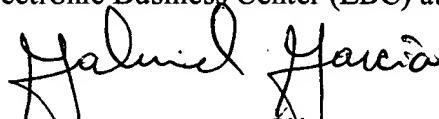
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thierry L. Pham whose telephone number is (571) 272-7439. The examiner can normally be reached on M-F (9:30 AM - 6:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on (571)272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thierry L. Pham



GABRIEL GARCIA
PRIMARY EXAMINER